



Onyx Dkt No. ONYX 1047.DIV  
USSN: 10/669,768  
PATENT

AF/ITW

**Certificate of Transmission by Mailing, Facsimile, or Electronic Transmission (37 C.F.R. §1.8)**

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is:

☒ being deposited with the U.S. Postal Service on the date indicated below and with sufficient postage addressed to Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

☐ being facsimile transmitted to the Commissioner for Patents, U.S.P.T.O. (Fax No. 571-273-8300) on the date indicated below.

☐ being transmitted to the Commissioner for Patents via the U.S.P.T.O. Electronic Filing System on the date indicated below.

Signature: Gary R. Fabian Gary R. Fabian Date: 1 June 2009

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	
In Re Application of: SHEN, Y., et al.	Confirmation No.: 8135
Serial No.: 10/669,768	Art Unit: 1633
Filing Date: 24 September 2003	Examiner: Marvich, M.
Title: ADENOVIRUS E1B-55K SINGLE AMINO ACID MUTANTS AND METHODS OF USE	

**REPLY BRIEF TRANSMITTAL LETTER**

Mail Stop: Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following:

1. Reply Brief Transmittal Letter;
2. Reply Brief Under 37 C.F.R. § 41.41(a)(1);
3. Certificates of First Class Mailing; and
4. Return receipt postcard.

Enclosed, pursuant to 37 C.F.R. § 41.41(a)(1), is the Reply Brief for the above application. The Examiner's Answer was mailed on 1 April 2009. This Reply Brief is mailed on 1 June 2009; thus, the Reply Brief is filed within the allowed two-month period for response.

No fee is believed due. If, however, a fee is due, the Director is authorized to charge any fee which may be required to **Deposit Account No. 15-0615** (please reference **ONYX 1047.DIV**).

Respectfully submitted,

Date: 1 June 2009

By: \_\_\_\_\_

*Gary R. Fabian*

Gary R. Fabian, Ph.D.

Registration No. 33,875

Agent for Appellants

Customer No. 037499  
ONYX Pharmaceuticals, Inc.  
2100 Powell Street  
Emeryville, CA 94608  
Phone: (510) 597-6502  
Facsimile: (510) 597-6693